

Supreme Court of the
United States

October Term, 2002

HEARING LIST

For the Session Beginning
April 21, 2003

**THE JUSTICES AND THE JUDICIAL CIRCUITS
TO WHICH THEY ARE ASSIGNED**

HON. WILLIAM H. REHNQUIST, Chief Justice, Fourth,
District of Columbia and Federal Circuits.

HON. JOHN PAUL STEVENS, Associate Justice, Sixth
and Seventh Circuits.

HON. SANDRA DAY O'CONNOR, Associate Justice, Ninth
Circuit.

HON. ANTONIN SCALIA, Associate Justice, Fifth Circuit.

HON. ANTHONY M. KENNEDY, Associate Justice, Elev-
enth Circuit.

HON. DAVID H. SOUTER, Associate Justice, First and
Third Circuits.

HON. CLARENCE THOMAS, Associate Justice, Eighth
Circuit.

HON. RUTH BADER GINSBURG, Associate Justice, Sec-
ond Circuit.

HON. STEPHEN BREYER, Associate Justice, Tenth
Circuit.

OFFICERS OF THE COURT

WILLIAM K. SUTER, Clerk.

FRANK D. WAGNER, Reporter of Decisions.

PAMELA TALKIN, Marshal.

SHELLEY L. DOWLING, Librarian.

NOTICE TO COUNSEL

1. The Clerk timely informs counsel as to the day counsel must be present for oral argument. The Court convenes at 10 a.m. and each case is usually heard on the date assigned.

2. Counsel scheduled to argue must report to the Lawyers' Lounge between 9:00 and 9:15 a.m. on the day assigned for argument. The Clerk will brief you at that time and provide assistance. Identification cards will be issued to the attorneys authorized to occupy seats at argument tables. Counsel arguing cases *should not* introduce themselves nor introduce co-counsel to the Court at the time of argument. Members of the Court should be addressed by their proper titles—"Chief Justice" or "Justice," as the case may be—and not as "judge."

3. Counsel are expected to take note of time limitations and inquiry should not be made of the Court as to the amount of time remaining. A white light will appear when five minutes remain and a red light when the time has expired. When the Court permits a division of time for argument, the use of more than the agreed time by one attorney does not extend the total time allotted. Counsel should conclude argument promptly when the red light appears unless responding to a question from the Court.

4. During argument counsel should at all times speak into the microphone so that the Justices may hear them and that a clear tape recording can be made. Counsel should also avoid having notes or books touch the microphone since this seriously interferes with the recording process.

5. Counsel in cases to be argued in the afternoon should assemble at the Clerk's desk in the Courtroom when the noon recess begins. An escort will arrange expedited service in the public cafeteria located in the Court building.

6. Appropriate attire for counsel is conservative business dress. If formal attire is worn, it should conform with custom.

WILLIAM K. SUTER, *Clerk.*

HEARING LIST

Monday, April 21, 2003

No. 02–524. *Janette Price, Warden v. Duyonn Andre Vincent.*

Certiorari to the C. A. 6th Circuit.

For petitioner: Arthur A. Busch, Flint, Mich.; and Jeffrey A. Lamken, Assistant to the Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondent: David A. Moran, Detroit, Mich. (*Appointed by this Court.*)

(1 hour for argument.)

No. 02–679. *Desert Palace, Inc., dba Caesars Palace Hotel & Casino v. Catharina F. Costa.*

Certiorari to the C. A. 9th Circuit.

For petitioner: Mark J. Ricciardi, Las Vegas, Nev.; and Irving L. Gornstein, Assistant to the Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondent: Robert N. Peccole, Las Vegas, Nev.

(1 hour for argument.)

Tuesday, April 22, 2003

No. 02–634. *Green Tree Financial Corp., nka Conseco Finance Corp. v. Lynn W. Bazzle, etc., et al.*

Certiorari to the Supreme Court of Carolina.

For petitioner: Carter G. Phillips, Washington, D. C.

For respondents: Cornelia T.L. Pillard, Washington, D. C.

(1 hour for argument.)

No. 01–950. *Hillside Dairy Inc., A&A Dairy, L&S Dairy, and Milky Way Farms v. William J. Lyons, Jr., Secretary, California Department of Food and Agriculture, et al.*; and

No. 01–1018. *Ponderosa Dairy, Pahrump Dairy, Rockview Dairies, Inc., and D. Kuiper Dairy v. William J. Lyons, Jr., Secretary, California Department of Food and Agriculture, et al.*

Certiorari to the C. A. 9th Circuit.

For petitioners: Roy T. Englert, Jr., Washington, D. C.; and Barbara B. McDowell, Assistant to the Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondents: Mark J. Urban, Deputy Attorney General, Sacramento, Cal.

(Consolidated—1 hour for argument.)

Wednesday, April 23, 2003

No. 02–722. *American Insurance Association, et al. v. John Garamendi, Insurance Commissioner, State of California.*

Certiorari to the C. A. 9th Circuit.

For petitioners: Kenneth S. Geller, Washington, D. C.; Edwin S. Kneeder, Deputy Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondent: Frank Kaplan, Santa Monica, Cal.

(1 hour for argument.)

No. 02–575. *Nike, Inc., et al. v. Marc Kasky.*

Certiorari to the Supreme Court of California.

For petitioners: Laurence H. Tribe, Cambridge, Mass.; and Theodore B. Olson, Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondent: Paul R. Hoeber, San Francisco, Cal.

(1 hour for argument.)

Monday, April 28, 2003

No. 02–469. *The Black & Decker Disability Plan v. Kenneth L. Nord.*

Certiorari to the C. A. 9th Circuit.

For petitioner: Lee T. Paterson, Los Angeles, Cal.; and Lisa S. Blatt, Assistant to the Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondent: Lawrence D. Rohlfing, Santa Fe Springs, Cal.

(1 hour for argument.)

No. 02–299. *Entergy Louisiana, Inc. v. Louisiana Public Service Commission, et al.*

Certiorari to the Supreme Court of Louisiana.

For petitioner: David W. Carpenter, Chicago, Ill.; and Austin C. Schlick, Assistant to the Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondents: Michael R. Fontham, New Orleans, La. (1 hour for argument.)

Tuesday, April 29, 2003

No. 02–182. *Georgia v. John Ashcroft, Attorney General, et al.*

Certiorari to the U. S. D. C. for the District of Columbia.

For petitioner: David F. Walbert, Atlanta, Ga.

For federal respondent: Malcolm L. Stewart, Assistant to the Solicitor General, Department of Justice, Washington, D. C.

For private intervenors: E. Marshall Braden, Washington, D. C.

(1 hour for argument.)

No. 02–695. *Michael Fitzgerald, Treasurer of Iowa v. Racing Association of Central Iowa, et al.*

Certiorari to the Supreme Court of Iowa.

For petitioner: Thomas J. Miller, Attorney General of Iowa, Des Moines, Ia.; and Kent L. Jones, Assistant to the Solicitor General, Department of Justice, Washington, D. C. (for United States, as *amicus curiae*.)

For respondents: Mark McCormick, Des Moines, Ia. (1 hour for argument.)

Wednesday, April 30, 2003

No. 02-371. *Virginia v. Kevin Lamont Hicks.*

Certiorari to the Supreme Court of Virginia.

For petitioner: William Henry Hurd, State Solicitor,
Richmond, Va.; and Michael R. Dreeben, Deputy Solic-
itor General, Department of Justice, Washington, D. C.
(for United States, as *amicus curiae*.)

For respondent: Steven D. Benjamin, Richmond, Va.
(1 hour for argument.)

No. 02-306. *Beneficial National Bank, et al. v. Marie
Anderson, et al.*

Certiorari to the C. A. 11th Circuit.

For petitioners: Seth P. Waxman, Washington, D. C.; and
Matthew D. Roberts, Assistant to the Solicitor Gen-
eral, Department of Justice, Washington, D. C. (for
United States, as *amicus curiae*.)

For respondents: Brian M. Clark, Birmingham, Ala.
(1 hour for argument.)
